

APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office -JUN-17-1997- NEW PRIORITY DATE:

Returned to applicant for correction \_\_\_\_\_ MAY 23 2001

Corrected application filed \_\_\_\_\_

Map filed \_\_\_\_\_ FEB 11 1994 UNDER 59743T

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The applicant Blue Diamond Materials, Inc. hereby make application for permission to change the point of diversion, manner of use, and place of use of water heretofore appropriated under Permit 60542

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1. The source of water is underground
2. The amount of water to be changed 0.00555 c.f.s. and 3 afa.
3. The water to be used for industrial and domestic
4. The water heretofore permitted for quasi municipal
5. The water is to be diverted at the following point within NW 1/4 of the NE 1/4 of Section 26, Township 22 South, Range 60 East, MDB&M, Clark County, Nevada, from which the northeast corner of said Section 26 bears North 63°30'54" East, a distance of 2863.18 feet. See map filed with Applications 59743T and 59744T.
6. The existing permitted point of diversion is located within the NE 1/4 of the NW 1/4 of Section 4, Township 20 South, Range 60 East, MDB&M, Clark County, Nevada, at a point from which the North Quarter Corner of said Section 4 bears North 66°53'26" East, a distance of 1120.72 feet.
7. Proposed place of use All land lying East of the Union Pacific Railroad right of way within the SE 1/4 of Section 23, and the N 1/2 of the NE 1/4 of Section 26, all within Township 22 South, Range 60 East, MDB&M, Clark County, Nevada. See map filed with Applications 59743T and 59744T.
8. Existing place of use is a portion of the NE 1/4 of the NW 1/4 of Section 4, Township 20 South, Range 60 East, MDB&M, Clark County, Nevada
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works Existing 10 inch cased well, 6 inch pump, pump house, and appurtenances
12. Estimated cost of works \$85,000.00
13. Estimated time required to construct works Works are complete
14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks:

By s/Gregory Walch/Gregory J. Walch  
Attorney for App.  
3773 Howard Hughes Pkwy., Suite 290N  
Las Vegas, NV 89109

Compared lw/cms jr/cms

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 60542 is issued subject to the terms and conditions imposed in said Permit 60542 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 60224, 60225 and 63191 shall not exceed 214.754 acre-feet per year.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.00555 cubic feet per second, but not to exceed 3.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Application of water to beneficial use shall be filed on or before:

February 9, 2001

Proof of the application of water to beneficial use shall be filed on or before:

March 9, 2001

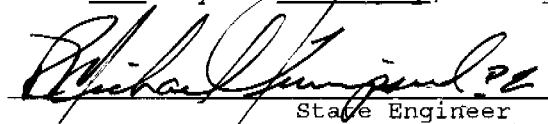
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 9th day of February, A.D. 1998

  
State Engineer

Completion of work filed N/A

Proof of beneficial use filed SEP 19 2001

Cultural map filed \_\_\_\_\_

Certificate No. 16117 Issued AUG 21 2002

~~CANCELLED MAY 1 - 2001~~  
~~BECAUSE OF FAILURE~~  
~~OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~

~~ R. MICHAEL TURNIPSEED, P.E.  
STATE ENGINEER~~

Canc. Resc. 9-19-01